

CRAIG CARPENITO
United States Attorney
By: SARAH DEVLIN
Assistant United States Attorney
970 Broad Street, Suite 700
Newark, New Jersey 07102
Tel: 973-645-2740
Sarah.devlin3@usdoj.gov

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA,	:	Hon. Katharine S. Hayden, U.S.D.J.
	:	
Plaintiff,	:	Civil Action No. 19-17575 (KSH)
	:	
v.	:	DEFAULT JUDGMENT AND
	:	FINAL ORDER OF FORFEITURE
\$40,880.00 IN UNITED STATES	:	
CURRENCY,	:	
	:	
Defendant <i>in Rem</i>	:	

WHEREAS, on or about September 3, 2019, the United States filed a Verified Complaint for Forfeiture *In Rem* (the "Verified Complaint") in the United States District Court for the District of New Jersey against \$40,880.00 in United States currency seized on or about April 1, 2019 from luggage belonging to Jesus Ramirez-Martinez, a/k/a Jesus Martinez (the "Defendant Currency"), in Terminal C, Gate 72, at Newark Liberty International Airport in Newark, New Jersey;

WHEREAS, the Verified Complaint alleged that the Defendant Currency is subject to forfeiture to the United States pursuant to 21 U.S.C. § 881(a)(6), which subjects to forfeiture all moneys, negotiable instruments, securities, or other things of value furnished, or intended to be furnished, by any person in

exchange for a controlled substance and all proceeds traceable to such an exchange, in violation of 21 U.S.C. § 801, *et seq.* (narcotics control and enforcement laws);

10

WHEREAS, on or about September 7, 2019, the United States filed a Notice of Complaint for Forfeiture (the "Notice of Complaint");

WHEREAS, the Notice of Complaint stated that any person who wished to assert an interest in and avoid forfeiture of the Defendant Currency was required to file a verified claim with the Clerk of the Court within thirty-five (35) days after the date the Notice of Complaint was sent or the date of delivery, if personally served;

WHEREAS, the Notice of Complaint also detailed the procedure for filing a claim and answer;

WHEREAS, the United States learned that Jesus Ramirez-Martinez appeared to have a potential claim to the Defendant Currency;

WHEREAS, on or about September 16, 2019, the United States sent copies of the Verified Complaint and the Notice of Complaint by Federal Express to Jesus Ramirez-Martinez, c/o Anthony J. Petrone, Esq., 1717 Arch Street, Suite 3640, Philadelphia, Pennsylvania 19103 as required by Rule G(4)(b) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, Federal Rules of Civil Procedure;

WHEREAS, on or about September 17, 2019, Jesus Ramirez-Martinez, c/o Anthony J. Petrone, Esq., 1717 Arch Street, Suite 3640, Philadelphia,

Pennsylvania 19103, received copies of the Verified Complaint and the Notice of Complaint;

WHEREAS, as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, Federal Rules of Civil Procedure, Notice of Civil Forfeiture was posted on an official internet government forfeiture website, namely www.forfeiture.gov for at least 30 consecutive days, beginning on ~~May 28, 2019~~ **September 17, 2019**, notifying all third parties of their right to file a claim with the Court within 60 days from the first day of publication for a hearing to adjudicate the validity of their alleged legal interest in the property;

WHEREAS, no conforming Claim has been filed within the time required by Rule G(5)(a) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, Federal Rules of Civil Procedure, and 18 U.S.C. § 983(a)(4)(A) for the Defendant Currency, and the statutory time periods in which to do so have expired;

IT IS HEREBY, ORDERED, ADJUDGED, AND DECREED:

1. A Default Judgment and a Final Order of Forfeiture is granted against the Defendant Currency, namely \$40,880.00 in United States currency seized on or about April 1, 2019 from luggage belonging to Jesus Ramirez-Martinez, a/k/a Jesus Martinez ~~REDACTED~~, in Terminal C, Gate 72, at Newark Liberty International Airport in Newark, New Jersey, and no right, title or interest in the Defendant Currency shall exist in any other party.

2. The United States Marshals Service shall dispose of the ~~Defendant~~
Currency
~~property~~ according to law.

ORDERED this **11th** day of **June**, ~~2019~~ **2020**



HON. KATHARINE S. HAYDEN, U.S.D.J.